

### **REMARKS**

The Official Action dated July 15, 2003 has been carefully considered. Accordingly, the changes presented herewith, taken with the following remarks, are believed sufficient to place the present application in condition for allowance. Reconsideration is respectfully requested.

By the present Amendment, claims 1 and 16 have been amended to recite methods of cleaning shoes in a vertical axis washing machine. Support for these amendments may be found in original claim 2. Claim 2 is amended to correspond with claim 1 as amended. Claim 6 is amended to include limitations from claim 7, and claim 7 is cancelled. Finally, claim 15 is amended and claims 17 and 18 are added. Support for the amendment to claim 15 is found throughout the application and original claims 8-14, and support for claims 17 and 18 is found in the specification, for example, at page 8, lines 22-28 and page 11, lines 5-7, and in Figs. 2 and 6. It is believed that these changes do not involve any introduction of new matter, whereby entry is believed to be in order and is respectfully requested.

At page 2 of the Official Action, the Examiner indicated that claims 8-14 are allowed and that claims 2-5 and 7 were objected to but would be allowable if rewritten in independent form including all limitations of the base claims and any intervening claims. The Examiner's indication of allowable subject matter is appreciated. By the present Amendment, claim 6 is amended to include the limitations of claim 7. It is therefore believed that claim 6 is in prima facie condition for allowance. Moreover, it is believed that claims 1 and 16 have been amended to include patentably distinguishable features of claim 2, as will be discussed in further detail below. It is therefore believed that claims 1 and 16 are also in prima facie condition for allowance. Reconsideration is respectfully requested.

More particularly, claims 1, 15 and 16 were rejected under 35 U.S.C. §102(e) as being anticipated by Stockley. It is presumed that the Examiner is relying on the Stockley U.S.

Patent No. 6,134,810 cited in Applicants' Information Disclosure Statement filed by certificate of mailing on October 31, 2002.

However, it is believed that the methods of claims 1 and 16 and the structure of claim 15 are not anticipated by and are patentably distinguishable from the teachings of Stockley. Accordingly, this rejection is traversed and reconsideration is respectfully requested.

More particularly, claims 1 and 16 are directed to methods of cleaning shoes in a vertical axis washing machine. In contrast, Stockley discloses a washing machine insert for holding athletic shoes when washing the athletic shoes in a front loading style washing machine (abstract). Applicants find no teaching or suggestion by Stockley relating to methods of cleaning shoes in a vertical axis washing machine, particularly including the combination of steps recited in claim 1 or claim 16.

Claim 15 is directed to a flexible bag structure having at least two pockets for holding shoes in a washing machine. At least two of the pockets are joined to each other directly or indirectly. In contrast, the washing machine insert of Stockley includes a member having a plurality of bores extending therethrough between a pair of opposite faces of the member (abstract). The member comprises a resiliently deformable foamed material such as a sponge material (column 3, lines 51-53). Thus, the flexible bag structure of bag 15 is clearly distinguishable from and neither taught nor suggested by the sponge insert of Stockley.


Anticipation under 35 U.S.C. §102 requires that each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference, *In re Robertson*, 49 U.S.P.Q.2d 1949, 1950 (Fed Cir. 1999). In view of the deficiencies of Stockley discussed above, Stockley does not anticipate any of claims 1, 15 or 16. Thus, the rejection under 35 U.S.C. §102 based on Stockley has been overcome. Reconsideration is respectfully requested.

Claim 6 was rejected under 35 U.S.C. §102(e) as being anticipated by Japan '897. The Official Action does not provide any further information regarding this citation, and therefore Applicants traverse the rejection on the basis that it is unclear and incomplete. Nonetheless, it is believed that the rejection has been overcome as claim 6 has been amended to include the limitations of claim 7 which was previously indicated as containing allowable subject matter. It is therefore submitted that the rejection has been overcome and reconsideration is respectfully requested.

Finally, an Information Disclosure Statement was filed in this application by certificate of mailing on October 31, 2002. Applicants request that an Examiner-initialed copy of Form PTO-1449 from the Information Disclosure Statement be provided. For the Examiner's convenience, attached is a copy of the Information Disclosure Statement as filed, including Form PTO-1449, and Applicants' stamped receipt card showing receipt of the Information Disclosure Statement by the U.S. Patent and Trademark Office on November 6, 2002. Similarly, the Official Action did not include a Form PTO-892. In the event that Japan '897 referenced in the Official Action was cited on such a form, it is requested that Applicants be provided with the form and copies of any references cited therein.

It is believed that the above represents a complete response to the Official Action, and places the present application in condition for allowance. Reconsideration and an early allowance are requested.

Respectfully submitted,

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